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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/451,196	11/29/1999	RADESH MANIAN	081862.P149	8729

7590

05/12/2003

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EXAMINER

ZIA, SYED

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/451,196

Applicant(s)

MANIAN ET AL.

Examiner

Syed Zia

Art Unit

2155

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 April 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Attachment.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: -None-.

Claim(s) objected to: -None-.

Claim(s) rejected: 1-31.

Claim(s) withdrawn from consideration: -None-.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Advisory Action

This office action is in response to after-final amendment filed on April 29, 2003.

Applicant argued that admitted prior art (APA) [Pei et al., U.S. Pat. No. 6,272,109] does not teach the claimed invention as indicated in amended independent claim and original dependent claims.

Applicant's request for consideration has been fully considered but they are not persuasive because of the following reasons:

Applicant amended independent claims. These amendments require further consideration because either scope of the claims has been changed when interpreting existing claim limitation in conjunction with amended limitation, or amendment does not place the application in condition for allowance, some examples are:

Claim 1, and 25 limitation d) "dividing a hardware... table delimiters and operating independently of one another, and assigning an identifier.... in the network;

Claim 9 limitation b)" computer readable medium... independently of one another";

Claim 17 limitation c) "a network processor... independently of one another... tables".

Applicants still have failed to disclose the novelty of the invention and point out specific claimed limitations that would define a patentable distinction over cited prior arts (Please refer to (Paper No. 5 dated January 24,2003). The examiner will not interpret to read narrowly the claim

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language to read exactly from the specification, but will interpret the claim language in the broadest reasonable interpretation in view of the specification.


Therefore, the examiner asserts that APA does teach or suggest the subject matter broadly recited in independent claims 1, 9, 17, and 25. Dependent claims 2-8, 10-16, 18-24, and 26-31 are also rejected at least by virtue of their dependency on independent claims and by other reason set forth in this office action (Paper No. 5 dated January 24,2003). Accordingly, rejections for Claims 1-31 are respectfully maintained

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

SZ
May 2, 2003


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100